



## **Senator Jean Berkey**

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### **Committees:**

- Financial Institutions,  
Housing & Consumer  
Protection, Vice-Chair
- Government Operations  
& Elections, Vice-Chair
- Early Learning, K-12  
& Higher Education

Senator

# **Jean Berkey**

## *2005 Legislative News*

**Dear Friends and Neighbors,**

It's good to be back home in Everett.

This last legislative session in Olympia was one of the most productive in recent memory.

The session began in the wake of the closest, most divisive gubernatorial election in the history of our country. It ended with the passage of a state budget that invests in our children, our transportation network, and the continued economic vitality of our state.

I believe it is the Legislature's responsibility to not only work to solve today's problems but also to anticipate what's beyond the horizon and ensure that we are well-prepared for the future. I appreciate the trust you've placed in me and thank you for the privilege of serving you in the Legislature.

Sincerely,

A blue ink signature of Jean Berkey, written in a cursive style.

Jean Berkey  
State Senator  
38th Legislative District

## Elections

Washington's 2004 election for Governor shed light on problems with the state's election procedures. The Legislature's top election reform priorities were to improve those procedures and increase voter confidence in the legitimacy of the process. The Senate Government Operations and Elections Committee crafted a slate of election reform bills covering a wide range of issues. As Committee Vice-Chair, I worked closely with our Snohomish County Auditor Bob Terwilliger to develop proposals that will improve the security of our election processes and encourage voter participation.

### Omnibus Elections Reform Bill – Senate Bill 5499

Our election reform bill protects the rights of law-abiding voters and restores trust in our election system. The measure includes the following provisions:

- All poll-site voters will have to show a photo ID, voter registration card, utility bill or government document to establish their identity. The Secretary of State will establish rules governing what documents are acceptable.
- New statewide signature verification standards for absentee ballots will be developed by the Secretary of State in consultation with law enforcement.
- Voters whose ballot signatures do not match the county's records will be informed by the county and sent a new registration form to confirm the signature.
- A voter database, available by January 2006, will provide county auditors with a central list of eligible voters. The list will be consistently updated with the names of deceased persons and convicted felons.
- Provisional and absentee ballots will not be capable of being counted in poll-site tabulating machines.
- The certification period will be lengthened to 21 days, allowing more time for the return of military ballots.
- Ballots will no longer be "enhanced" when machines cannot read them, but a duplicate ballot would be created so the ballots can be counted. An audit



trail will link the duplicated ballot to the original, unchanged ballot.

- At certification, county auditors will have to immediately reconcile all votes cast with the number of voters credited.
- Voting twice or destroying voter registrations will be felony offenses.

**Senate Bill 5743** scrubs the voter rolls to ensure that felons, the deceased and non-citizens are not voting in our elections. The Secretary of State will conduct quarterly reviews of voter registrations to ensure that those not entitled to vote are removed from the rolls.

**Senate Bill 5395** requires electronic voting machines, currently used in Snohomish County, to have a voter-verifiable paper trail. These machines will be randomly audited against the paper trail to ensure the equipment is functioning without error.

**Senate Bill 5565** requires the Secretary of State to inform our service men and women that: return postage on military ballots is free; the date written by the voter on the return envelope is considered the date of mailing; the envelope must be signed by election day; military voters do not need to pre-register; faxed ballots are allowed; and e-mailed ballots are available.

## Budget

When the Legislature convened in January, the budget shortfall was projected to be \$1.8 billion. After a February Washington Supreme Court ruling on the estate tax, that shortfall was compounded by an additional \$500 million, for a total deficit of \$2.2 billion.

In March, the revenue forecast came up \$739 million – the largest quarterly jump in history – evidence that our economy is finally reviving. That brought our shortfall back down to about \$1.7 billion.

The final budget adopted by the Legislature includes some cuts and a modest revenue package, most of which will go toward funding education. It contains no general tax increases, and maintains a healthy reserve of about \$200 million. I supported investments in education, transportation and badly needed raises for state employees.

### K-12 education

This budget recognizes the need to improve our schools so that every child – rich or poor, living in the city or in the country – gets the best education we can provide. We did it by:

- Increasing levy equalization by 12 percent.
- Expanding the Learning Assistance Program to 100 percent of poverty.
- Boosting the special education safety net.
- Fully funding I-728 (class size) and I-732 (teacher COLAs), which for the past two years were suspended.

### Higher education

A well-trained workforce is critical if Washington is to remain competitive in the global economy. One step in achieving this goal is to ensure access to our higher education institutions. By 2010, we will need an additional 26,000 enrollments. This budget recognizes that and funds close to one-third of the projected need, or 8,000 new enrollments. Additionally, I co-sponsored Senate Bill 6094 which provided for a needs assessment, a business and operations plan, and a location study for a new four year college in north Snohomish County.

We also need to make higher education as affordable to as many people as possible. The budget provides \$70 million to make financial assistance for students from low- and middle-income families more accessible.



## Transportation

Our state's transportation investments have not kept pace with our transportation needs. The 2001 Nisqually earthquake severely damaged Seattle's Alaskan Way Viaduct and congestion in the Puget Sound area continues to worsen. Rural two-lane highways remain some of our state's most dangerous roads. All of these dangerous and congested roadways will only get worse with the passage of time and the cost to repair them will only increase.

Business and labor leaders supported this plan because they know the future of the state is riding on our highways. We must make these investments to help get people to and from work more quickly and move products to market. With this package, the Legislature is investing in the economic prosperity of our communities.

### Transportation budget – Senate Bill 6091

The Legislature's 16-year transportation spending plan funds more than 300 highway, bridge and intersection improvements in the state. It also provides increased investments in bus and rail transportation to relieve traffic congestion on our highways.

The budget funds major projects in Snohomish County, including:

- Adding HOV lanes on I-5
- Replacing the SR 529/Ebey Slough bridge
- Widening East Marine View Drive
- Improving the I-5/41st Street interchange
- Improving the I-5/116th Street interchange

Cities and counties will also receive \$38 million a year in gas tax funds for local road and street improvements. The funds will be used to fill potholes, reduce traffic congestion, improve road safety in rural areas, and to fulfill other priorities of local governments.

### Transportation revenues – Senate Bill 6103

The transportation budget will be financed through an increase in the gas tax phased in over the next four years, as well as small annual weight fees on passenger vehicles. All gas tax funds and weight fees will be used for the state's highway system.

This year's gas tax increase will cost a driver who travels 15,000 miles a year at 25 miles per gallon an additional \$1.50 a month. When the full 9.5 cent increase is in place, the cost to that same driver will be \$4.75 a month.

The current \$30 car tab fees for passenger vehicles and light trucks are augmented by small annual weight fees. Owners of most passenger cars, vehicles weighing up to 4,000 pounds, will pay \$10 more. Owners of vehicles weighing 4,000 to 6,000 pounds, such as full-size pickups, will pay \$20 more annually. Drivers of the largest SUVs, weighing 6,000 to 8,000 pounds, will pay an additional \$30 a year. Vehicles weighing more than 8,000 pounds will pay the weight fees already established under the commercial weight fee schedules. Motor homes will not be subject to weight fees, but will pay an annual flat fee of \$75. The fee for light utility trailers weighing less than 2,000 pounds will drop from \$30 to \$15 per year.

The Legislature also established strict accountability provisions to reassure the taxpayers that the projects will be completed on time and within budget. Within one year, the Transportation Performance Audit Board (TPAB), a group of citizens with private sector transportation expertise, will submit to the Legislature a process to conduct performance audits of each of the projects. Also, the bill provides \$4 million that the elected state auditor will use to contract out with independent performance auditors, who will continue to review the projects to make sure they are on time and on budget.

## Consumer Protection

Protecting consumers from identity theft and other crime is becoming a significant challenge for law enforcement and the Legislature. I successfully passed several consumer protection bills this session, including:

### Identity theft

The "credit freeze" bill, SB 5418, will give victims of identity theft the option of prohibiting a credit reporting agency from releasing credit information without their authorization. This allows victims to restore their credit and prevent further unauthorized use while the freeze is in effect. This problem was brought to my attention by Eric Bell, an Everett constituent, who was a victim of identity theft. I am pleased to be able to help victims gain a valuable tool to rebuild their credit.



*Eric Bell testifies before the Financial Institutions, Housing & Consumer Protection Committee.*

### Refund anticipation loans

The Legislature approved SB 5692 to regulate refund anticipation loans – sometimes known as "instant refunds" – offered by tax preparers. Consumers must be informed about the nature and terms of these loans.

### Tenant/landlord relations

SB 5479 clarifies time periods in disputes between tenants and landlords. It makes the legal process easier and more efficient for everyone.



## Capital Projects

I was pleased that the approved capital budget included the following 38th District projects:

- **Everett Community College:** \$26 million in total projects, including \$7.4 million to build the Undergraduate Education Center; \$17.6 million to replace Glacier Hall and Pilchuck Hall; and \$1 million for the Paine Field Technical Center.
- **Compass Health:** \$225,000 for renovations to the "Bailey House" facility providing services for adults with severe and persistent mental illnesses. Improvements include replacing the roof and masonry work.
- **Everett Rail Barge facility:** \$12 million will be reappropriated to the Port of Everett for the facility, which is designed to accommodate oversized containers headed for the Boeing-Everett plant.

- **Everett Symphony:** \$215,000 for financial assistance.
- **Everett Riverfront:** \$1.5 million to help relocate railroad tracks to improve public access to the Snohomish riverfront, allowing for mixed use development and enhancement of an environmentally sensitive area.

The capital budget also includes \$500,000 for a study to assess the need for a new four-year public college in north Snohomish County. The area, which is expected to grow in population by 50 percent in the next 20 years, is one of the most underserved areas in the state.

